

HOUSE COMMITTEE ON TRANSPORTATION

March 23, 2005 Hearing Room C

1:00 P.M. Tapes 30 - 31

MEMBERS PRESENT: Rep. George Gilman, Chair

Rep. Deborah Boone

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Kim Thatcher

MEMBERS EXCUSED: Rep. Terry Beyer, Vice-Chair

Rep. Chuck Burley, Vice-Chair

STAFF PRESENT: John Houser, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2608 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 30, A		
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003 Chair Gilman Calls the meeting to order at 1:04 p.m. Opens a public hearing on HB 2608.

HB 2608 – PUBLIC HEARING

014 John Houser Committee Administrator. Introduces HB 2608.

020 John Scruggs Police Officer, Washington County. Testifies in support of HB 2608. Argues that the bill is not anti-immigrant. Explains that it is important for a person to prove legal residency to be issued a driver license.

059 Rep. Hunt Asks if non-citizens would continue to drive if HB 2608 was passed.

064 Scruggs Testifies that some non-citizens will continue to drive and explains police procedures to identify non-citizens.

078 Rep. Hunt Asks if HB 2608 would create a larger pool of unlicensed drivers.

085 Scruggs Answers that the problem of unlicensed drivers would not change as many drive without insurance anyway.

092 Rep. Bruun Asks if insurance would become void if a driver license was issued on fraudulent information.

101 Scruggs Answers that there are insurance provisions to address fraud, but is unsure the extent of the provisions.

108 Rep. Boone Asks how a person could get two licenses with the same photo but different information.

110 Scruggs Answers that a person would obtain two consular matriculars with two different names.

114 Rep. Boone Asks how the Division of Motor Vehicles (DMV) could issue another license with the same picture.

116 Scruggs Answers the DMV process for issuing licenses and verifying information and photos.

126	Rep. Boone	Asks about those who are in the U.S. legally but are not citizens.
128	Scruggs	Answers that those who are in the U.S. legally should be issued licenses.
136	Rep. Thatcher	Asks about a Utah law that grants driver certificates to those who cannot prove citizenship.
142	Scruggs	Answers that he disagrees with the law. Argues that the state of Oregon is violating statute by issuing licenses to those who could or should be known to not be legal residents.
154	Rep. Thatcher	Clarifies that the Utah law grants driving privileges without issuing a license that could be used as identification.
161	Scruggs	Speaks against the Utah law.
174	Ruth Bendl	Portland. Submits and summarizes prepared testimony in support of HB 2608 (EXHIBIT A). Explains the importance of properly issuing licenses to Homeland Security.
237	Sharon Cornish	Hillsboro. Testifies in support of HB 2608. Explains criminal activity associated with fraudulent driver licenses.
268	Rep. Hunt	Asks if the law should apply to everyone instantaneously or be phased in when renewing, replacing, or reinstating driver licenses.
276	Cornish	Answers that the criminal activity nullifies “all of our legitimacy” as it is difficult to tell if someone is who they claim to be. Argues that citizenship should be proven “in everything we do.”
284	Rep. Hunt	Asks if Ms. Bendl or Ms. Cornish has proof of residency.
286	Cornish	Answers that she does not have it with her, but she could produce it if necessary.
288	Bendl	Answers that she does not have her documentation with her. Argues that if the bill is not passed, Oregonians will have to use their passports to fly under the Real ID Act being passed by Congress.

329 Jim Ludwick McMinnville. Testifies in support of HB 2608. Explains the Social Security Online Verification System. Reads from the 9/11 Commission Report about fraudulent documents. Explains the Real ID act passed by U.S. House of Representatives and its effect on Oregon's driver licenses.

TAPE 31, A

035 Robin Freeman Oregon Department of Transportation (ODOT). Submits and reads prepared testimony in regard to HB 2608 (**EXHIBIT B**).

106 Chair Gilman Asks if names and faces will be able to be matched in a database.

112 Freeman Explains the over-the-counter DMV license issuance process.

120 Chair Gilman Clarifies that DMV cannot verify if a photo is duplicated in the system.

122 Freeman Answers no.

125 Chair Gilman Asks about the cost of implementing a system to check social security numbers.

128 Freeman Answers that it may be approximately three cents per person.

131 Chair Gilman Answers that he has heard it may be less than that.

136 Rep. Bruun Asks about the cost impact for states that have changed driver license issuance procedures.

145 Freeman Explains that she is unsure.

150 Rep. Bruun Clarifies that according to the Census, 2.6% of the residents in Oregon are illegal residents. Asks if it is the figure that is used to estimate the cost and loss of revenue.

156 Freeman Clarifies that ODOT is using 2000 Census statistics to make calculations.

162 Rep. Hunt

Asks if Oregon driver licenses are in compliance with federal law unless or until the Real ID Act is passed by Congress.

- 168 Freeman Answers yes.
- 170 Rep. Hunt Asks if Ms. Freeman has proof of identification to prove that she is legally present in the United States.
- 172 Freeman Answers no.
- 175 Rep. Thatcher Explains that her daughter received a driver license with a birth certificate and paycheck stub. Notes that Nevada does not accept Oregon driver licenses as identification. Asks about the revenue impact of the bill.
- 192 Freeman Explains that the DMV workload would increase by verifying valid documentation.
- 201 Rep. Bruun Cites the testimony of Michael Ward of DMV from the March 21 meeting about training for processing identification.
- 221 Chair Gilman States that the bill needs to address proof of citizenship.
- 230 Andrea Meyer Legislative Director, American Civil Liberties Union (ACLU). Submits and reads prepared testimony in opposition to HB 2608 **(EXHIBIT C)**.
- 296 Rep. Hunt Asks if Ms. Meyer has proof that she is in the United States legally.
- 300 Meyer Answers that she does not carry that information with her for fear of having it stolen.
- 303 Rep. Bruun Expresses concern about language in Ms. Meyer's testimony such as "perpetuates discrimination against immigrants" and "targeting immigrants for discrimination." Cites concern about the bill being perceived as anti-immigrant. Explains that his chief of staff is a legal immigrant and does not view the bill as discriminatory.
- 345 Meyer States that following testimony will show the effect on the immigrant community. Explains that the federal government is responsible for

enforcing immigration laws, not the Oregon DMV. Notes that few documents prove U.S. citizenship, but driver licenses do not.

- 369 Chair Gilman States that the driver license has become a piece of identification card, although it may not have been intended to be.
- 378 Meyer Concurs with the comments of Chair Gilman.
- 385 Chair Gilman Asks if illegal immigrants should be allowed to vote.
- 388 Meyer Answers no. States that it is a criminal offense if a non-citizen signs a document indicating that he or she is a citizen.
- 410 Ramon Ramirez President, Northwest Treeplanters and Farmworkers United (PCUN). Submits and summarizes prepared testimony in opposition to HB 2608 (**EXHIBIT D**). Argues that HB 2608 is an attempt to forge immigration policy. Explains that many immigrant workers rely on driver licenses to get to work.

TAPE 30, B

- 105 Rep. Hunt Asks how many PCUN members are required to drive for work.
- 110 Ramirez Answers that it is “an overwhelming majority”.
- 112 Rep. Hunt Asks if some are required to drive as part of their jobs.
- 115 Ramirez Answers that a majority of agriculture and horticulture workers are required to drive various types of vehicles.
- 120 Rep. Hunt Asks if Mr. Ramirez has any proof of U.S. citizenship or legal status.
- 124 Ramirez Answers no and testifies that he has thought of getting a passport due to discrimination he has faced.
- 140 Rep. Thatcher Expresses concern about discrimination. Asks about the Utah law to allow driving privileges, but is not usable as identification.
- 149 Ramirez Answers that he opposes it. Argues that immigration reform is the bigger problem.

- 175 Rep. Thatcher Cites a *Christian Science Monitor* article indicating terrorists' desire to infiltrate the U.S. through the southern border.
- 190 Ramirez Answers that it supports his point that immigration reform is necessary. Explains the proposed bi-national commission to address immigration reform. Argues that "we don't have an immigration problem in this country, we have a labor problem in our hemisphere" and if "workers were paid a decent wage in their country, they wouldn't come here."
- 220 Rep. Thatcher Further cites the article indicating that "some countries such as those known to export gang members show dramatic increases in numbers to be entering the U.S."
- 226 Ramirez Explains that the trend is "the other way around" with gangs in countries such as El Salvador that have the same gangs as the United States.
- 255 Eduardo Angulo Chairman, Salem/Keizer Coalition For Equality. Submits and summarizes prepared testimony in opposition to HB 2608 (**EXHIBIT E**).
- 373 Santiago Ventura Marion County. Testifies in opposition to HB 2608 and explains how he came to the United States. Argues that the bill would create insecurity for Oregonians with fewer drivers having insurance.

The following material is submitted for the record without public testimony:

- Lorena Manzo Submits written testimony in opposition to HB 2108 (**EXHIBIT F**).
- Juan Bacilio Submits written testimony in opposition to HB 2108 (**EXHIBIT G**).
- Rev. Steven Witte Executive Director, Oregon Farm Worker Ministry. Submits written testimony in opposition to HB 2108 (**EXHIBIT H**).
- 428 Chair Gilman Closes the public hearing on HB 2108. Adjourns the meeting at 2:27 p.m.

EXHIBIT SUMMARY

- A. **HB 2608, prepared testimony and court cases, Ruth Bendl, 9 pp**
- B. **HB 2608, prepared testimony, Robin Freeman, 2 pp**
- C. **HB 2608, prepared testimony, Andrea Meyer, 2 pp**
- D. **HB 2608, prepared testimony, Ramon Ramirez, 25 pp**
- E. **HB 2608, prepared testimony, Eduardo Angulo, 1 p**
- F. **HB 2608, prepared testimony, Lorena Manzo, 2 pp**
- G. **HB 2608, prepared testimony, Juan Bacilio, 1 p**
- H. **HB 2608, prepared testimony, Rev. Steven Witte, 1 p**